UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,667	02/05/2002	Yoshinori Suzuki	500.41140X00	4692

20457   7590   08/12/2004

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EXAMINER
KOSTAK, VICTOR R

ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**.　　2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

　　　closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-15_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1,3,4,6-9 and 11-15_ is/are rejected.

7) ☒ Claim(s) _2, 5 and 10_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _05 February 2002_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☒ All　b) ☐ Some * c) ☐ None of:

　　　1. ☒ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage

　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _02/05/02_.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

1.   The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. Note MPEP 606.01.

2.   Claims 4 and 7 are objected to because of the following informalities: the phrase "is consist of" is not grammatically correct. Appropriate correction is required.

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 is drafted as an independent claim, appearing as such only because it lacks reference to a base claim. The claim actually reads like a dependent claim based on the antecedence given to all of the features recited. Its dependency is therefore ambiguous, or alternatively, its clarity as an independent claims is not evident.

Likewise regarding claim 14, it reads like a dependent claim although there is no reference to any base claim.

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims rejected under 35 U.S.C. 102(b) as being anticipated by Moon et al.

The communication system of Moon (noting particularly Figs. 5, 7 and 11) involves coding special effect data (i.e. shape data) comprising the steps of coding mask pattern data (i.e. shape data which is used to mask objects, the objects of various patterns); and the step of coding motion pattern data used to alter (i.e. distort or warp) the shape data in the reconstruction process at the receiver; and the step of combining these to encoded components into a unified signal (by multiplexer 58) for composite transmission thereof, thereby meeting claim 1.

As for claims 3 and 4, the range of the motion pattern covers the whole image frame per local areas (i.e. macroblocks, noting Figs. 1 and 3) thereby using plural motion parameters because plural component areas are identified.

As for claim 6, the plural motion patterns are included in each frame data structure as the output multiplexed data stream.

Regarding claim 7, the mask pattern data includes binary and transparency data (e.g. col. 2 lines 54-63).

As for claim 8, the mask pattern data include gray scale data (e.g. col. 2 lines 28-33).

As for claim 9, the receiving end in turn decodes the mask and motion data and accordingly processes the decoded components to accurately reconstruct the image to be displayed without distortion (warping).

Considering claim 11, the warping of the mask data during the decoding process involves the motion parameters (noting Fig. 11).

As for claim 12, the overall image is warped during reconstruction (using the motion data), which image includes the mask or shape data.

Regarding claim 13, one of ordinary skill in the art can consider each separate shape (constituting respective image object data) as separate images, which are ultimately combined to form a composite image frame.

Concerning claim 14, buffer 59 is a storage device.

As for claim 15, the coding system includes reference images for motion compensation (noting elements 52-57).

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is informed that the additionally cited references all disclose separate encoding of mask and motion data for transmission for subsequent decoding at a receiving end.

7.   Claims 2, 5 and 10 appear allowable over the prior art.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor R. Kostak whose telephone number is 703 305-4374. The examiner can normally be reached on Monday - Friday from 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 703 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

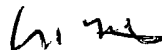**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 308-HELP.

Victor R. Kostak
Primary Examiner
Art Unit 2614

VRK